UNITED STATES PATENT AND TRADEMARK OFFICE

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MERCHANT & GOULD (MICROSOFT)
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER
VAUGHN, GREGORY J

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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Ex parte MARISE CHAN, TUAN HUYNH, JUSTIN M. MAGUIRE, III,
MARCELLA C.S. RADER and CHRISTOPHER C. YU

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Appeal 2009-012975
Application 09/755,863
Technology Center 2100

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Before DAVID M. KOHUT, JASON V. MORGAN, and ERIC B. CHEN,
Administrative Patent Judges.

CHEN, *Administrative Patent Judge.*

DECISION ON APPEAL

This is an appeal under 35 U.S.C. § 134(a) from the final rejection of claims 2, 5-7, 21 and 22. Claims 1, 3, 4, 8-20 and 23 have been cancelled. We have jurisdiction under 35 U.S.C. § 6(b). We reverse.

<div align="center">STATEMENT OF THE CASE</div>

Appellants' invention relates to a find and replace feature for a spreadsheet program module, including formatting attributes of a cell. (Spec. Abstract.)

Claim 2 is exemplary, with disputed limitations in italics:

> 2.   A computer-implemented method for populating a plurality of fields in a find dialog of a spreadsheet program module, the method comprising the steps of:
>
> choosing a plurality of formatting characteristics of a cell in the spreadsheet;
>
> editing the plurality of fields in the find dialog to correspond to the plurality of formatting characteristics of the cell; and
>
> wherein the step of choosing the plurality of formatting characteristics of the cell in the spreadsheet is performed in response to moving a cursor over the cell containing said plurality of formatting characteristics and clicking a mouse button to select the cell, *whereby in response to selecting the cell the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the find dialog.*

Claims 2 and 22 stand rejected under 35 U.S.C. § 103(a) as being obvious over Underdahl (BRIAN UNDERDAHL, USING QUATTRO PRO 6 FOR WINDOWS (Que Corporation 1994) and WordPerfect (NOVELL INC., WORDPERFECT V6.1 USER'S GUIDE (1994)).

Claims 5 and 21 stand rejected under 35 U.S.C. § 103(a) as being obvious over Underdahl, WordPerfect and Corel (COREL CORP., CORELDRAW USER'S MANUAL (1992)).

Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being obvious over Underdahl, WordPerfect, Corel and Microsoft Excel 2000 (Microsoft Corp., Microsoft Excel 2000 (1985-1999)).

ISSUE

Has the Examiner err in finding that the combination of Underdahl and WordPerfect teaches or suggests "whereby in response to selecting the cell the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the find dialog," as recited in independent claim 2?

ANALYSIS

With respect to independent claim 2, we are persuaded by Appellants' arguments (App. Br. 7-9[1]; *see also* Reply Br. 9-11) that the combination of Underdahl and WordPerfect would not have rendered obvious independent claim 2, including the disputed limitation "whereby in response to selecting the cell the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the find dialog."

The Examiner found that the combination of Underdahl and WordPerfect would have rendered obvious independent claim 2. (Ans. 3-4, 4-5.) In particular, the Examiner found that the step of selecting the default General format in the "Active Block Object Inspector" dialog box of Underdahl corresponds to the disputed limitation "whereby in response to selecting the cell the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the find dialog." (Ans. 5.) We do not agree.

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[1] We refer to the Appeal Brief filed on August 15, 2006.

Underdahl relates to formatting, analyzing and presenting data for a spreadsheet. (Cover.) In the "Applying the Available Formats" section, Underdahl explains that:

> [t]o change the display format of a cell or block, first highlight the cell or block. Then click the right mouse button inside the cell or block . . . to open the Active Block Object Inspector dialog box. The Numeric Format pane is selected by default. If no numeric format has been assigned, the default General format is checked . . . .

(P. 193.)

In the context of entire section, Underdahl teaches that to change the display format of the cell or block, the "Active Block Object Inspector" dialog box must first be opened to control the formatting of the cell or block. If a user has not selected a format, the default General format applies to the selected cell or block. However, the Examiner has not provided sufficient evidence to demonstrate that the step of highlighting a cell or block causes the existing format of the highlighted cell or block to be selected by the "Active Block Object Inspector" dialog box and therefore, Underdahl does not teach or suggest that the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the find dialog in response to selecting the cell.

Thus, we do not agree with the Examiner that the combination of Underdahl and WordPerfect would have rendered obvious independent claim 2, including the limitation "whereby in response to selecting the cell the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the find dialog."

Accordingly, we do not sustain the rejection of independent claim 2 under 35 U.S.C. § 103(a).

Independent claim 22 recites limitations similar to those discussed with respect to independent claim 2. We do not sustain the rejection of claim 22 for the reasons discussed with respect to claim 2.

Corel was cited by the Examiner for teaching the additional features of claims 5 and 21. (Ans. 4.) However, the Examiner's application of Corel does not cure the above-noted deficiencies of Underdahl and WordPerfect. Therefore, we do not sustain the rejection of claims 5 and 21 for the same reasons discussed with respect to independent claim 2.

Microsoft Excel 2000 was cited by the Examiner for teaching the additional features of dependent claims 6 and 7. (Ans. 4.) However, the Examiner's application of Microsoft Excel 2000 does not cure the above-noted deficiencies of Underdahl and WordPerfect. Therefore, we do not sustain the rejection of claims 6 and 7 for the same reasons discussed with respect to independent claim 1.

CONCLUSION

The Examiner has erred in finding that the combination of Underdahl and WordPerfect teaches or suggests "whereby in response to selecting the cell the formatting characteristics of the selected cell are determined and applied to the plurality of fields of the find dialog," as recited in independent claim 2.

DECISION

The Examiner's decision to reject claims 2, 5-7, 21 and 22 is reversed.

REVERSED

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